

**CHAPTER NO. 1120**

**SENATE BILL NO. 1147**

**By Haun**

Substituted for: House Bill No. 1418

By Bittle

AN ACT To amend Tennessee Code Annotated, Title 55, Chapter 4, to authorize the issuance of special plates for the management, protection, propagation and conservation of fish and wildlife species.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 55-4-202(c)(3), is amended by adding a new subdivision thereto, as follows:

( ) Fish and wildlife species;

SECTION 2. Tennessee Code Annotated, Section 55-4-203, is amended by adding a new item thereto, as follows:

Fish and wildlife species - twenty-five dollars (\$25.00).

SECTION 3. Tennessee Code Annotated, Title 55, Chapter 4, Part 2, is amended by adding the following language as a new, appropriately designated section:

(a) Owners or lessees of motor vehicles or recreational vehicles who are residents of the State of Tennessee, upon complying with state motor vehicle or recreational vehicle laws relating to registration and licensing of motor vehicles or recreational vehicles, and paying the regular fee applicable to the motor vehicle or recreational vehicle and the fee provided for in §55-4-203, shall be issued a fish and wildlife species special license plate, either for an automobile or recreational vehicle, or a truck of one-half (1/2) or three-quarter (3/4) ton rating.

(b) The funds derived from the sale of such fish and wildlife species special license plates, less the expense the state has incurred in designing and manufacturing such plates, shall be deposited in the Wildlife Resources Fund established at Tennessee Code Annotated, Section 70-1-401, to be used exclusively for management, protection, propagation and conservation of fish and wildlife species and the protection and enhancement of such species' habitats.

(c) The special plates provided for in this section shall be issued in conformity with the provisions of §55-4-202, and shall be designed in consultation with the executive director of the Tennessee Wildlife Resources Agency, the Director of the Motor Vehicle Division and the Department of Safety. The special plates shall include a unique identifying number, whereby the total characters do not exceed the sum of seven (7); provided, that no two (2) recipients shall receive identical plates.

(d)(1) The provisions of this section shall not be construed to mean that any eligible person shall be prevented from exchanging a regular type plate for one (1) of special design; provided, that the fees prescribed under §55-4-203 are paid.

(2) The whole or parts of the fee for a special registration plate shall not be refunded for the exchange of a regular plate.

(e) Additional special license plates may be obtained by any eligible person upon payment of the regular license fee for plates, as prescribed under §55-4-111, plus the payment of the fee prescribed in § 55-4-203.

(f)(1) Special plates issued pursuant to this section may be transferred to another vehicle of the same weight class owned or leased by the same person upon proper application being made therefor and approved by the Department of Safety.

(2) It is unlawful for any person to whom such plates have been issued to knowingly permit them to be displayed on any vehicle, except such as authorized by the department.

(g) Notwithstanding any other provision of this section, for the first fiscal year in which such special license plates are issued and after deducting the expense the state has incurred in designing and manufacturing such plates, funds derived from the sale of license plates of the first one thousand (1,000) such plates issued pursuant to this section shall be distributed as provided in §55-6-107 and funds derived from the sale of such license plates in excess of one thousand (1,000) shall be distributed as otherwise provided in this section. For succeeding fiscal years, all funds derived from the renewal of the plates described in this section or from any new issues of such plates, less any expense the state has incurred in designing and manufacturing such plates, shall be distributed as earmarked in this section with no further payments going to the highway fund or the general fund from such plates.

(h) Notwithstanding the provisions of Section 55-4-201(b)(1)(B), the special license plates authorized by this section shall be issued subject to the following requirements:

(1) A minimum order of at least five hundred (500) plates.


(2) If the plates authorized by this section have not qualified for initial issuance by July 1, 2000, such plates shall not be issued and the Commissioner of Safety shall notify the Tennessee Code Commission that this section of Tennessee Code Annotated authorizing the issuance of such plates is, on the basis of such inactivity, to be deemed obsolete and invalid.

(i) The provisions of subsection (h) shall apply equally to the renewal of the special license plates issued pursuant to this section; provided, however, if such plates fail to meet the minimum requirements of subsection (h) for two (2) successive renewal periods after the initial issuance of such plates, such plates shall not be reissued or renewed, and the Commissioner of Safety shall notify the Tennessee Code Commission that this section of Tennessee Code Annotated authorizing the issuance of such plates is, on the basis of such inactivity, to be deemed obsolete and invalid.

SECTION 4. Tennessee Code Annotated, Section 55-4-309(b), is amended by adding the language "fish and wildlife species plates as provided for in Title 55, Chapter 4, Part 2," between the numbers and punctuation "55-4-252," and the word "crime".

SECTION 5. This act shall take effect July 1, 1998, the public welfare requiring it.

  
JOHN S. WILDER  
SPEAKER OF THE SENATE

  
JIMMY NAIFEH, SPEAKER  
HOUSE OF REPRESENTATIVES

**PASSED: May 1, 1998**

**APPROVED this day of 1998**

\_\_\_\_\_  
DON SUNDQUIST, GOVERNOR

Pursuant to Article III, Section 18, of the Constitution of the State of Tennessee, the Governor had Senate Bill No. 1147 in his possession longer than ten (10) days, so therefore the bill becomes law without the Governor's signature.